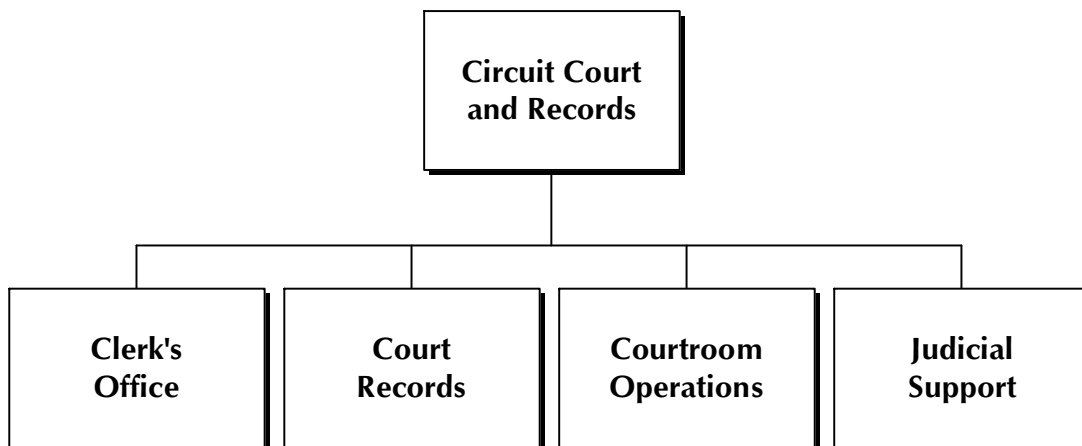


# Circuit Court and Records



## Mission

To provide administrative support to the 19<sup>th</sup> Judicial Circuit; to preserve, maintain and protect the public records; and to offer public services with equal access to all in accordance with the Code of Virginia.

## Focus

The Circuit Court has jurisdiction in Criminal and Civil cases and provides appellate authority in which an appeal may be taken from a lower tribunal. Criminal cases involve a possible sentence to the State Penitentiary and misdemeanor appeals. Civil jurisdiction provides for adoptions, divorces, and controversies where the claim exceeds \$20,000. Public services include issuance of marriage licenses, processing notary commissions, probating wills, recording business certification of any trade names, and docketing judgments. The Circuit Court collects recordation taxes and provides true copies of documents that are of record in this office. Public access of court records are available on site or through the Court's Public Access Network a secure remote access system known as CPAN.

The Land Records Division recorded 476,862 documents in FY 2004 generating \$9,180,659 in revenue. The number of documents recorded represents an increase of 3 percent over FY 2003. It is important to note that in the latter half of FY 2004 there was a decrease in the number of Deeds of Trust and Certificates of Satisfactions recorded. This is attributed to a slowdown in the refinancing market due to rising interest rates. It is anticipated that in FY 2005 there will not be a significant increase in the number of recorded documents. However, this figure of 476,862 surpasses the average number of recordings from 1987 through 2001 by 255,934 documents. The steady increase of recordings began in FY 2002 and has continued to present day.

Land Records also recorded 20,708 documents electronically in FY 2004, an increase of 352 percent over the previous year and a 1,000 percent increase over FY 2002. The electronic recording of documents will continue to grow proportionately as it becomes a widely accepted practice in the industry and as the document types available for electronic filing expands. As the number of documents recorded electronically increases, the collection of recordation fees and recordation of documents will become more efficient. The electronic filing system currently in use is provided by a vendor and is limited to one particular document type, the mortgage release. An initiative of the Clerk's office is to create an electronic filing system that will be capable of recording all document types in a format that will be accessible to large and small businesses. The Clerk's service will also provide the ability to electronically file documents at a lower cost to the customer.

## THINKING STRATEGICALLY

Strategic issues for the Department include:

- o Developing workforce plans to address increasing workload requirements;
- o Leveraging technology to provide for increased efficiencies in courtroom operations; and
- o Improving communications and addressing cultural diversity by increasing availability of volunteers and translators.

## Circuit Court and Records


Implementation of FullCourt, a new civil/criminal case management system, in FY 2005 with the future addition of e-filing/imaging components in FY 2006, will enable multiple users to access a court case file simultaneously. In addition to saving time and resources, the electronic format will provide a more secure environment for crucial court case documents. Historically, the traditional one paper case file has resulted in limited single person usage and susceptibility to loss and damage. Since the implementation of the existing 25 year-old mainframe case management system, the number of court cases handled has risen significantly.

Changes to the Code of Virginia have resulted in additional labor intensive functions from case initiation to case closure. The required increased processing time has caused significant backlogs especially in the Criminal and Civil Divisions. FullCourt will eliminate the current requirement for duplication of data entry. For example, in a criminal case with overdue unpaid court costs, submittal of the ensuing driver's license revocation to the Department of Motor Vehicles, and Court Debt Collection information to the Department of Taxation, can be accomplished more quickly. This eventually will result in reduction of the backlog and more timely case closure.



As the diversity of the customer base increases, the Clerk's Office is faced with the responsibility of managing the multiple languages spoken in this Court. Staff training is necessary in order to better serve non-English speaking customers. The needs of the multicultural population are also being addressed through the development of standards for interpreters and better utilization of multilingual staff members. In addition, the staff is charged with more responsibilities and skill requirements in order to provide better customer service for our diverse customer base.

The Circuit Court, in conjunction with the competencies requirements of the National Association for Court Management (NACM) and the strategic planning initiative, is developing guidelines and training programs to address ever changing job requirements. The agency continues to assess the needs of customers and staff, resolving issues and improving performance.


### New Initiatives and Recent Accomplishments in Support of the Fairfax County Vision

 <b>Maintaining Safe and Caring Communities</b>	<b>Recent Success</b>	<b>FY 2006 Initiative</b>	<b>Cost Center</b>
With the General District Court and Juvenile and Domestic Relations Court, the Circuit Court created a standardized list of qualified interpreters for the Fairfax County Courts. Developed standardized procedures to ensure that only the most qualified foreign language interpreters are used in the courtroom. Continue to develop in-house training programs related to cultural awareness and the use of foreign language interpreters. Working with the State to begin re-administering the certification examination for Spanish interpreters to increase the number of certified interpreters available for the Spanish-speaking customer base.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Judicial Support

## Circuit Court and Records

 <b>Connecting People and Places</b>	<b>Recent Success</b>	<b>FY 2006 Initiative</b>	<b>Cost Center</b>
Continue to provide additional forms on the Circuit Court's website that are consistent with state and County printed forms. Investigate technology advancements such as digital signature which will permit more forms to be filed electronically.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agencywide
Provide citizens access to juror information on the web and over the telephone interactively 24 hours a day. Processes that currently require a staff person will be handled through these means resulting in increase availability, efficiency and convenience for the citizens. This will have the potential to benefit approximately 30,000 possible jurors each year.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Courtroom Operations
Continue a code change that allows for the expansion of the types of electronically recorded documents in Land Records. This code change has expanded the opportunity to have any authorized party enter into an agreement with the Clerk and file electronically any type of land document. The goal is to have 40 percent of all documents recorded electronically within five years.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Land Records
Expand usage of the Courts Public Access Network (CPAN) and the Court Automated Recording System (CARS) which are used to research 28.7 million land record images for use in buying, selling, and developing properties in Fairfax County. CPAN and CARS is used by Circuit Court staff, other County agencies, banks, mortgage companies, title companies, law firms and the general public. This subscription service provides citizens with information about law and chancery matters, civil case information, civil and criminal service information 24/7, real estate assessments and delinquent real estate tax information. CPAN has expanded from local Fairfax County users to users in more than 12 states and the District of Columbia.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Land Records
 <b>Creating a Culture of Engagement</b>	<b>Recent Success</b>	<b>FY 2006 Initiative</b>	<b>Cost Center</b>
Continue a volunteer program in order to utilize the skills and abilities of Fairfax County citizens and to alleviate increased workload. Volunteers are used in the areas of administrative support, accounting and technology. In addition to advertising on VolunteerFairfax.org, descriptions of volunteer opportunities will be posted on the Circuit Court website to enable easier access to volunteer information.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agencywide

## Circuit Court and Records

 Exercising Corporate Stewardship	Recent Success	FY 2006 Initiative	Cost Center
Implemented Phase I of the FullCourt case management system and will initiate Phase II in FY 2006. The FullCourt case management system enables the Circuit Court to add e-filing and imaging components to facilitate placement of case information on the CPAN subscriber website and the Court's public website providing attorneys and constituents with nearly 24/7 access to court calendars and information screens.	✓	✓	Agencywide

### Budget and Staff Resources

Agency Summary					
Category	FY 2004 Actual	FY 2005 Adopted Budget Plan	FY 2005 Revised Budget Plan	FY 2006 Advertised Budget Plan	FY 2006 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	137/ 137	137/ 137	137/ 137	137/ 137	137/ 137
Exempt	24/ 24	24/ 24	24/ 24	24/ 24	24/ 24
State	15/ 15	15/ 15	15/ 15	15/ 15	15/ 15
Expenditures:					
Personnel Services	\$6,678,484	\$7,479,296	\$7,395,634	\$7,700,466	\$7,720,466
Operating Expenses	2,139,222	1,962,359	2,200,363	2,016,582	2,016,582
Capital Equipment	0	0	53,702	0	0
<b>Total Expenditures</b>	<b>\$8,817,706</b>	<b>\$9,441,655</b>	<b>\$9,649,699</b>	<b>\$9,717,048</b>	<b>\$9,737,048</b>
Income:					
Land Transfer Fees	\$42,880	\$38,010	\$42,880	\$39,935	\$39,935
Courthouse Maintenance Fees	5,391	5,494	5,494	5,494	5,494
Circuit Court Fines and Penalties	153,376	126,249	126,249	153,376	153,376
Copy Machine Revenue	77,188	58,000	79,946	79,946	79,946
County Clerk Fees	11,118,710	7,931,686	10,313,434	7,931,686	7,931,686
City of Fairfax Contract	89,785	89,785	1,655	1,655	1,655
Recovered Costs - Circuit Court	3,072	4,164	4,164	4,164	4,164
CPAN	136,822	62,380	138,904	141,682	141,682
State Shared Retirement - Circuit Court	87,622	82,669	87,622	89,374	89,374
<b>Total Income</b>	<b>\$11,714,846</b>	<b>\$8,398,437</b>	<b>\$10,800,348</b>	<b>\$8,447,312</b>	<b>\$8,447,312</b>
<b>Net Cost to the County</b>	<b>(\$2,897,140)</b>	<b>\$1,043,218</b>	<b>(\$1,150,649)</b>	<b>\$1,269,736</b>	<b>\$1,289,736</b>

## Circuit Court and Records

### FY 2006 Funding Adjustments

*The following funding adjustments from the FY 2005 Revised Budget Plan are necessary to support the FY 2006 program:*

- ◆ **Employee Compensation** **\$221,170**  
An increase of \$221,170 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.
- ◆ **Various Expense Adjustments** **(\$153,821)**  
A net decrease of \$153,821 in various expenses is due to a decrease of \$154,342 in Operating Expenses and a decrease of \$53,702 in Capital Equipment, primarily attributed to one-time expenses as part of the FY 2004 Carryover Review, partially offset by an increase in Operating Expense of \$54,223 for the annual costs associated with County information technology-related changes and Department of Vehicle Services' costs.

### Board of Supervisors' Adjustments

*The following funding adjustments reflect all changes to the FY 2006 Advertised Budget Plan, as approved by the Board of Supervisors on April 25, 2005:*

- ◆ **Fair Labor Standards Act (FLSA) Overtime Eligibility** **\$20,000**  
An increase of \$20,000 is associated with Senate Bill 873, which was adopted by the 2005 Virginia General Assembly. This bill extends overtime categories and guarantees overtime pay to eligible personnel for scheduled hours without regard to whether the employees actually work so long as they are in pay status.

### Changes to FY 2005 Adopted Budget Plan

*The following funding adjustments reflect all approved changes in the FY 2005 Revised Budget Plan since passage of the FY 2005 Adopted Budget Plan. Included are all adjustments made as part of the FY 2004 Carryover Review and all other approved changes through December 31, 2004:*

- ◆ **Out of Cycle Adjustment** **\$0**  
Funding of \$19,049 was transferred from Operating Expenses to Capital Equipment to purchase a computer server.
- ◆ **Carryover Adjustments** **\$208,044**  
As part of the FY 2004 Carryover Review, the Board of Supervisors approved encumbered funding of \$173,391 in Operating Expenses and \$34,653 in Capital Equipment.

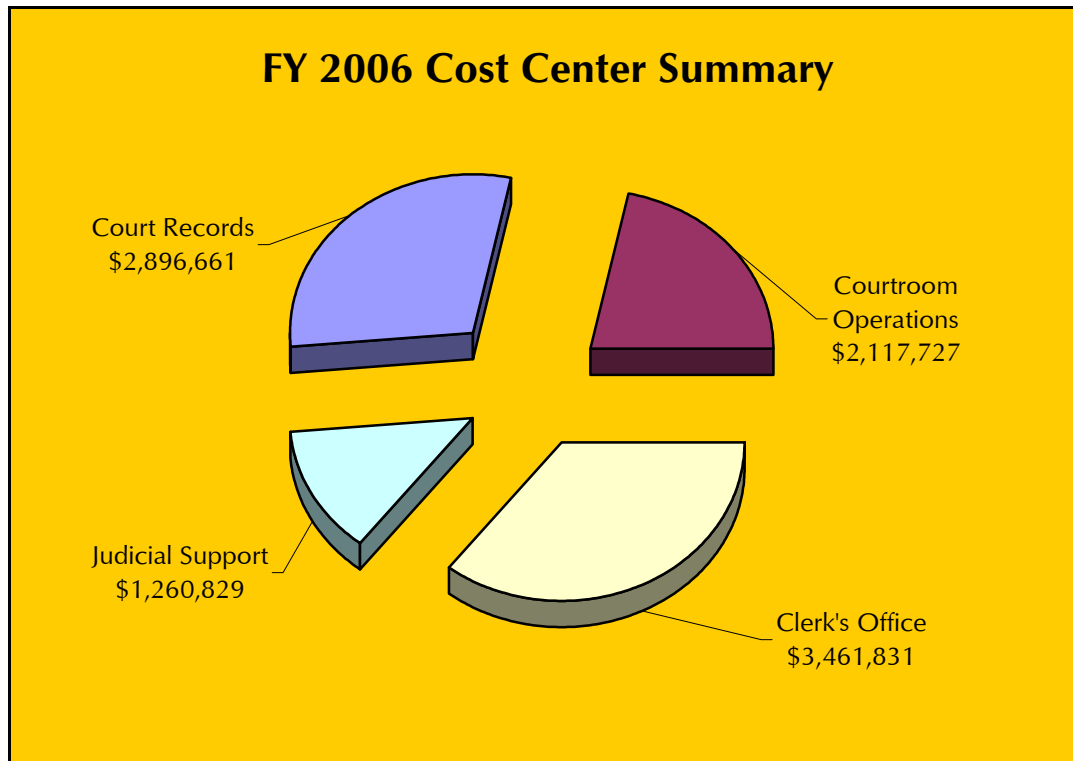
*The following funding adjustments reflect all approved changes to the FY 2005 Revised Budget Plan from January 1, 2005 through April 18, 2005. Included are all adjustments made as part of the FY 2005 Third Quarter Review:*

- ◆ The Board of Supervisors made no adjustments to this agency.

# Circuit Court and Records

## Cost Centers

The Circuit Court and Records has four cost centers including Court Records, Courtroom Operations, the Clerk's Office, and Judicial Support.



## Court Records



Funding Summary					
Category	FY 2004 Actual	FY 2005 Adopted Budget Plan	FY 2005 Revised Budget Plan	FY 2006 Advertised Budget Plan	FY 2006 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	52/ 52	52/ 52	51/ 51	52/ 52	51/ 51
<b>Total Expenditures</b>	<b>\$2,353,059</b>	<b>\$2,842,891</b>	<b>\$3,023,768</b>	<b>\$2,896,661</b>	<b>\$2,896,661</b>

Position Summary					
2	Legal Records/Services Managers	10	Administrative Assistants III	1	Archives Technician
1	Administrative Assistant V	34	Administrative Assistants II		
3	Administrative Assistants IV				
<b>TOTAL POSITIONS</b>					
<b>51 Positions / 51.0 Staff Years</b>					

## Key Performance Measures

### Goal

To record, preserve, safeguard and provide convenient access to all recorded documents and instruments pertaining to land, property, and all other matters brought before the Court; and to coordinate the retention, archiving and disposition of those documents in accordance with the Code of Virginia.

## Circuit Court and Records

### Objectives

- ◆ To achieve a turnaround time of 39 days in returning documents.
- ◆ To improve and expand the flow of information between the Circuit Court, other County agencies, and the public by increasing remote public access service usage, as measured by Citizen Public Access Network (CPAN) connections, by 10 percent.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2002 Actual	FY 2003 Actual	FY 2004 Estimate/Actual	FY 2005	FY 2006
<b>Output:</b>					
Land Documents Recorded	345,772	462,384	500,000 / 476,862	500,000	500,000
CPAN users served to date	383	475	500 / 505	550	600
<b>Efficiency:</b>					
Cost per recorded document	\$3.65	\$2.53	\$2.61 / \$2.35	\$2.61	\$2.70
Revenue per paid CPAN connection	\$269	\$107	\$112 / \$271	\$325	\$358
<b>Service Quality:</b>					
Turnaround time in returning recorded document (days)	35	49	49 / 43	39	39
Percentage point change of additional CPAN information available from off-site location	13	9	14 / 14	10	10
<b>Outcome:</b>					
Percent change in time to return documents	(19%)	40%	0% / (12%)	(1%)	0%
Percent change of CPAN connections	56.0%	24.0%	5.3% / 6.3%	10.0%	9.1%

### Performance Measurement Results

Turnaround time in returning recorded documents was reduced from 49 days in FY 2004 to 43 days in FY 2005. Turnaround time is expected to be reduced further in FY 2005. This effort will be helped by the electronic filing of documents.

CPAN users increased from 475 in FY 2003 to 505 in FY 2004, an increase of 6.3 percent. It is anticipated that paying subscribers to CPAN will grow by 10 percent per year in FY 2005 and FY 2006. As of January 1, 2004, the Virginia Information Technologies Agency (VITA) implemented secure remote access standards that require clerk's to obtain individual subscriber agreements from each user rather than having corporate accounts. In addition, the requirement that users have a static IP address to access the system has been eliminated. It is anticipated that paying subscribers will continue to grow by 10 percent per year. Please note that governmental entities such as VDOT, the Town of Herndon, Fairfax City and Fairfax County are not charged for CPAN usage. Not including Circuit Court employees, there are approximately 268 Fairfax County employees, working in agencies such as the Department of Tax Administration, Geographic Information Services (GIS), the Department of Planning and Zoning and the Board of Supervisors, that have remote access to CPAN.

# Circuit Court and Records

## Courtroom Operations

Funding Summary					
Category	FY 2004 Actual	FY 2005 Adopted Budget Plan	FY 2005 Revised Budget Plan	FY 2006 Advertised Budget Plan	FY 2006 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	42/ 42	42/ 42	42/ 42	42/ 42	42/ 42
<b>Total Expenditures</b>	<b>\$1,873,347</b>	<b>\$2,066,925</b>	<b>\$2,092,153</b>	<b>\$2,117,727</b>	<b>\$2,117,727</b>

Position Summary					
18 Administrative Assistants V	2 Legal Records/Services Managers	14 Administrative Assistants III			
3 Administrative Assistants IV		5 Administrative Assistants II			
<b>TOTAL POSITIONS</b>					
42 Positions / 42.0 Staff Years					
1/1.0 SYE Grant Position in Fund 102, Federal/State Grant Fund					

## Key Performance Measures

### Goal

To provide full administrative and clerical support in order to accomplish the appropriate and prompt resolution of all cases and jury functions referred to the 19<sup>th</sup> Judicial Circuit.

### Objectives

- ◆ To efficiently process County residents serving as jurors by maintaining the daily rate of utilization at no less than 100 percent, in order to minimize the impact on the personal and professional lives of the residents of Fairfax County who are called upon to perform their civic duty.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2002 Actual	FY 2003 Actual	FY 2004 Estimate/Actual	FY 2005	FY 2006
<b>Output:</b>					
Average number of residents called each day for jury selection	88.5	71.0	71.0 / 74.3	71.0	71.0
<b>Efficiency:</b>					
Cost per resident called for jury selection	\$40.60	\$42.65	\$42.98 / \$46.44	\$42.90	\$43.33
<b>Service Quality:</b>					
Percent jury utilization	106%	108%	108% / 99%	108%	108%
<b>Outcome:</b>					
Percentage point change in juror utilization rate	7	2	0 / (9)	9	0

## Performance Measurement Results

The number of jurors brought into Circuit Court to serve on cases is a result of the number of cases on the docket as of 4:00 p.m. the day prior to the date of service. A formula is used to ensure that sufficient jurors are available for *voir dire* (impaneling of jury) on each case. If a case settles after 4:00 p.m. and prior to 9:00 a.m. the number of jurors calculated and called for that particular case become extra jurors. More cases have settled in the manner during FY 2004 which impacted the utilization rate of jurors.



# Circuit Court and Records

Clerk's Office



Funding Summary					
Category	FY 2004 Actual	FY 2005 Adopted Budget Plan	FY 2005 Revised Budget Plan	FY 2006 Advertised Budget Plan	FY 2006 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	36/ 36	36/ 36	37/ 37	36/ 36	37/ 37
Exempt	8/ 8	8/ 8	8/ 8	8/ 8	8/ 8
<b>Total Expenditures</b>	<b>\$3,508,436</b>	<b>\$3,313,352</b>	<b>\$3,310,920</b>	<b>\$3,441,831</b>	<b>\$3,461,831</b>

Position Summary					
1 Management Analyst II	1 Accountant II	1 County Clerk (Elected) E			
1 Management Analyst I	1 Accountant I	1 Deputy County Clerk E			
1 Legal Records/Services Manager	5 Administrative Assistants V	1 Chief of Administrative Services E			
1 Programmer Analyst IV	3 Administrative Assistants IV	1 Management Analyst III E			
1 Programmer Analyst III	2 Administrative Assistants III	1 Management Analyst II E			
2 Programmer Analysts II	15 Administrative Assistants II	1 Administrative Assistant IV E			
1 Network/Telecom. Analyst II	1 Administrative Associate	1 Administrative Assistant III E			
1 Info. Tech Technician I		1 Administrative Assistant II E			
<b>TOTAL POSITIONS</b>					
<b>45 Positions / 45.0 Staff Years</b>			<b>E Denotes Exempt Positions</b>		

## Key Performance Measures

### Goal

To provide effective management of the various components and employees of the Clerk's office in order to produce efficient and effective service to the legal community and the general public.

### Objectives

- ◆ To maintain an average fiduciary appointment waiting time of 2.5 weeks in order to serve the probate needs of Fairfax County residents in a timely manner.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2002 Actual	FY 2003 Actual	FY 2004 Estimate/Actual	FY 2005	FY 2006
<b>Output:</b>					
Fiduciary appointments scheduled per day	30	29	30 / 27	30	30
<b>Efficiency:</b>					
Cost per appointment	\$49.70	\$48.77	\$51.85 / \$47.94	\$51.85	\$54.11
<b>Service Quality:</b>					
Average probate appointment book waiting time (in weeks)	1.0	1.0	1.0 / 5.0	2.5	2.5
<b>Outcome:</b>					
Percent change in waiting time	0.0%	0.0%	0.0% / 80.0%	50.0%	0.0%

## Performance Measurement Results

In FY 2004, staff illness and vacancies precluded the Probate section from handling the workload in the same timeframe as had been done in previous years. This is reflected by the increase in probate appointment booking time from 1 week in FY 2003 to 5 weeks in FY 2004. Staff anticipates reducing the average wait time to 2.5 weeks in FY 2006 as positions are filled.

# Circuit Court and Records

## Judicial Support

Funding Summary					
Category	FY 2004 Actual	FY 2005 Adopted Budget Plan	FY 2005 Revised Budget Plan	FY 2006 Advertised Budget Plan	FY 2006 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	7/ 7	7/ 7	7/ 7	7/ 7	7/ 7
Exempt	16/ 16	16/ 16	16/ 16	16/ 16	16/ 16
State	15/ 15	15/ 15	15/ 15	15/ 15	15/ 15
<b>Total Expenditures</b>	<b>\$1,082,864</b>	<b>\$1,218,487</b>	<b>\$1,222,858</b>	<b>\$1,260,829</b>	<b>\$1,260,829</b>

Position Summary					
1 Chief Judge S	1 Management Analyst III E	4 Administrative Assistants IV			
14 Judges S	12 Management Analysts I E	1 Management Analyst II			
3 Law Clerks E	2 Administrative Assistants V				
<b>TOTAL POSITIONS</b>			<b>E Denotes Exempt Position</b>		
<b>38 Positions / 38.0 Staff Years</b>			<b>S Denotes State Position</b>		

## Key Performance Measures

### Goal

To provide full administrative support and clerical services to the Judges of the 19<sup>th</sup> Circuit in order to ensure appropriate and prompt resolution of cases.

### Objectives

- ◆ To maintain the law case processing and disposition rate at 86 percent, toward a target of 90 percent, for cases disposed of within one year of the filing date. The state average is 75 percent and the voluntary case processing guidelines adopted by the Judicial Council recommend 90 percent disposition of law cases filed within one year.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2002 Actual	FY 2003 Actual	FY 2004 Estimate/Actual	FY 2005	FY 2006
<b>Output:</b>					
Law cases concluded through the Differential Case Tracking Program (DCTP)	3,250	3,660	4,000 / 3,173	4,000	4,000
<b>Efficiency:</b>					
Cost per case concluded in DCTP	\$160.34	\$150.26	\$136.26 / \$131.00	\$136.26	\$140.98
<b>Service Quality:</b>					
Percent of DCTP cases concluded within one year	85%	86%	86% / 81%	86%	86%
<b>Outcome:</b>					
Percentage point change of DCTP caseload concluded within one year	3	1	0 / (5)	5	0

## Performance Measurement Results

The Differential Case Tracking Program (DCTP) has been adversely affected by increased workload, long-term staff illnesses and staff vacancies from within the overall Courtroom Operations section. Staff were reassigned to handle mandated duties and as a result, the actual number of cases assigned to DCTP was decreased due to the reallocation of staff resources. A new case management system is being implemented in FY 2005 which will increase the cases assigned and completed by DCTP.